REMARKS

The Office examined claims 1-55 and rejected same. With this paper, claims 1-55 are amended, none are canceled, and new claims 56-66 are added. The application now includes 66 claims.

Claim Rejections under 35 USC §112

The Office rejected claims 13, 27, 40 and 54 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With this paper, claims 13, 27, 40 and 54 are amended to particularly point out and distinctly claim the invention. Support for the amendment to the claims can be found at least at page 18, line 14 - page 19, line 20 of the specification as originally filed, as well as in Figure 2C. Claims 13, 27, 40 and 54 are directed to an authentication protocol, which includes the exchange of various messages, and confirms for the server that the client and the user are both entitled to access the service of the server. The amendment to these claims clarifies the functionality of these claims. It is believed the basis for the rejection of these claims is obviated. Withdraw of the rejection is requested.

Claim Rejections under 35 USC §102

On page 3, section 5, of the Office action, claims 1-5, 7-12, 14-19, 21-26, 28-32, 34-39, 41-46, 48-53 are rejected under 35 USC §102(e) as being anticipated by Aravamudan *et al* (U.S. Patent No. 6,301,609).

The present invention distinguishes from Aravamudan because the invention makes it possible to separate the identities of a client of a network-based service such as Instant Messaging (IM), and a user of such client. In IM for example, a user is identified by his/her user name. In a conventional IM system based on access from personal desktop computers, the identification of the personal computer (PC) is not important. The IP-address of the PC is used only for internal routing purposes. In mobile instant messaging, on the other hand, the

identification of the particular IM application might become more important because a user may conceivably access the service from multiple devices at the same time and some of the status information, e.g., reachability and capabilities might be tied to the user rather than to the particular IM application.

Although not limited to an Instant Messaging Service environment, the terms "terminal device", "client" and "user" are disclosed in the specification with regard to an instant message (IM) service. An IM Client is an implementation of the IM service that allows one or more IM Users to access the service. The IM client may be hardware, software, firmware, or any combination thereof. The IM Client concept is device-independent but for purposes of actual use is installed in a physical device (i.e. a terminal device). More than one client can be resident on a given physical device and the same user can access different clients on the same device. An IM User may access the IM Server simultaneously from several IM Clients (using a single device or multiple devices). Similarly, an IM Client may provide simultaneous access for several IM Users. In order to enable multiple users using a same client to simultaneously access the service, or enable a user to simultaneously use multiple clients (whether or not installed in the same physical device), it is necessary to provide information to the server with an identification of the client and an identification of the user. (See page 14, line 23, to page 15, line 7 of the instant application.)

Claim 1 recites a method for communicating identification information from a terminal device to a network. The identification information includes a primitive having information elements with a structure recognized by the device and at least one other network entity. First, the primitive with an information element identifying a client of the terminal device is provided. Second, the primitive identifying the client also provides an information element identifying a user of the client.

As shown in Fig. 2B of the instant application, the access to an IM system is identified by two information elements: an IM user identification, which comprises an IM user name and a user password for authentication; and an IM client identification, which comprises a client name and a client address.

In Aravamudan, a physical device (client premise equipment or CPE) is used by a user to access a service such as Instant Messaging. A client, according to Aravamudan, is a software component provided by the service provider and installed in the CPE. In identifying the device to the service provider, the CPE is the same as the client, because the identities of the device and the client are the same.

Moreover, as abundantly demonstrated by the Aravamudan reference, the prior art confuses the identities of the user and the client. For instance, in column 5 at lines 25-31, the principles of Aravamudan are set forth wherein the meaning of "subscribing client" is that it is a client subscribing to both the IM service and the multiple network access provided by the service provider. Aravamudan describes "client software" in column 1, lines 24-26 and then uses the term "client premise equipment (CPE)" in lines 29-30 of same column, which seems to suggest that the word client is being used synonymously with a user or with a device. Notice that the specification uses the acronym "CPE" to stand for "client premise equipment." However, in column 4, at line 51, the term "client's CPE 140" is used which can be rendered as "client's client premise equipment 140" but might instead be understood as "user's client premise equipment 140" according to the previous definition of CPE. It is therefore not clear what exactly Aravamudan is referring to when he refers to a client, a client software, a client premise equipment, and a client CPE.

Also for instance, it is stated in column 6, line 2 that the communication services platform 160 directs a service such as a voice call to a client which determines the present location and interface over which the "client" may be reached. It is also stated that personal data relating to an individual client is stored in a database 170 including personal preferences such as the "client's" phone numbers, the "client's" internet addresses, the "client's" personally defined buddy list, etc. It is therefore not clear what it is that the client and the user terms used by Aravamudan mean. In conclusion, there is no separation of meanings at numerous instances throughout the Aravamudan reference and Aravamudan in non-enabling as a reference against the presently claimed invention.

Furthermore, applicant respectfully submits that the primitive containing identification information elements as specified in this application is different from what is disclosed in Aravamudan. A terminal device in this application, if taken as a physical device, is similar to the client premises equipment (CPE) of Aravamudan. Aravamudan teaches:

> (T)he user is provided with provisioning software for use with his CPE. The user installs the provisioning software onto his CPE device(s). The user connects and registers, via his CPE, to the provider's secure provisioning server by entering his selected password, ... The provisioning server, ... , registers the address of the user's Instant message server and <u>provisions</u> the client CPE software with a unique identification (ID)." (Col. 6, lines 45-53, as cited by the Examiner)

The provisioning software in Aravamudan is an add-on component to the CPE. It provides the CPE the capability to access the Instant Message server. According to Aravamudan, at the login, an information element, i.e. the unique identification of the client CPE software, is assigned (provisioned) by the server, not provided by the CPE.

Therefore, what Aravamudan teaches is a different method than the method of claim 1. Aravamudan only provides a unique identification, whereas according to claim 1, the identification information includes a primitive having information elements. One information element identifies a client of the terminal device, and another information element identifies a user of the client.

The Aravamudan system, because it does not separate the user and the client identities, would not be capable of registering multiple users of a single client in a single physical device as shown for instance in Fig. 2A of the present disclosure and would not be capable of registering a single user at multiple clients in different physical devices as discussed in the specification at page 15, lines 3-7.

Based on the above, the method as claimed in claim 1 is patentable with regard to Aravamudan. Applicant respectfully requests the rejection of claim 1, and all the dependent claims thereof, be reconsidered and withdrawn.

In addition, claim 15 recites a system, claim 28 recites a device, and claim 42 recites a server. All of them have limitations similar to that of claim 1. Since claim 1 is believed to be patentable, claims 15, 28, 42, and dependent claims thereof, are also believed to be patentable. Applicant respectfully requests the rejection of these claims be reconsidered and withdrawn.

<u>Claim Rejections under 35 USC §103</u>

On page 16, section 54, of the Office action, claims 6, 13, 20, 27, 33, 40, 47 and 54 are rejected under 35 USC §103(a) as being unpatentable over Aravamudan (U.S. Patent No. 6,301,609) in view of Mendiola (U.S. Patent Application Publication No. 2002/0006803).

These claims depend from one of the patentable independent claims. Applicant respectfully requests the rejection of these claims be reconsidered and withdrawn for at least the same reasons as given above.
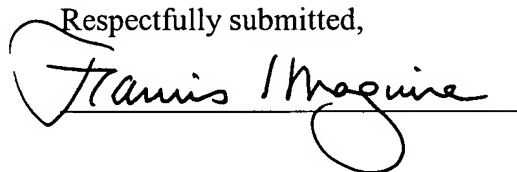
<u>Conclusion</u>

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance, and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

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Date

Respectfully submitted,

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